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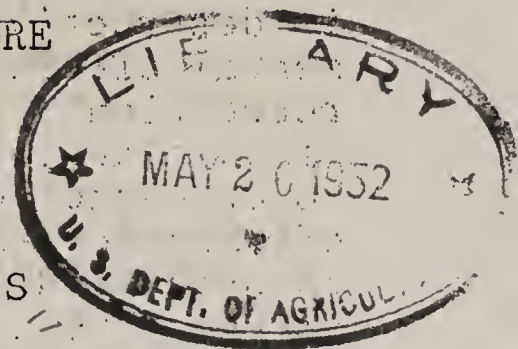
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March 3, 1952

UNITED STATES DEPARTMENT OF AGRICULTURE

2 U.S. FOREST SERVICE

3 LAND EXCHANGES WITHIN NATIONAL FORESTS



Early in the history of administration of the national forests the existence of large areas of non-federal land, often widely-scattered and interspersed with the national-forest lands, was found to be adverse to effective protection and administration of the public properties. Beginning in 1911 Congress successively enacted many bills authorizing exchanges of land or land and timber within specific national forests. A large number of proposed exchange bills led to enactment in 1922 and 1925 of acts of general application.

The Act of March 20, 1922 (16 U.S.C. 485, 486) is a general act authorizing the acceptance by the Secretary of the Interior of title to lands located within the exterior boundaries of the national forests and found by the Secretary of Agriculture to be valuable for national forest purposes, and the granting in exchange therefor of not to exceed an equal value of national-forest land or timber. Advertisement of proposed exchanges in the counties wherein the land or timber involved are located is required. Regulations issued under the act require written notice to county officials of exchange proposals in which the value of national forest lands or timber exceed \$5000. Provision is also made for the filing and adjudication of protests against exchanges, including the right of appeal from decisions of field offices to the Chief of the Forest Service, the Bureau of Land Management and the Secretary of the Interior. Objections to proposed exchanges are given careful consideration by the Forest Service and usually proposed exchanges which are opposed by county or comparable local officials are dropped.

In actual practice only two percent of the more than 3500 land exchange cases approved by the Chief, Forest Service have been objected to, and in addition 15 percent of these few objections were dropped or withdrawn when the pertinent facts were explained, or adjustments made.

This 1922 exchange act, by its provisions, is applicable to exchanges of land, or timber thereon, reserved from the public domain. Transactions under it have therefore been primarily in the western states, where the national forests are of public domain origin. In these western national forests land exchange procedure is often the only available means by which privately owned, county or State lands within the forest boundaries can be acquired. Often the alternative

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is destructive cutting or other abuse with consequent detrimental effects on watershed conditions and flood control, recreation values, and the timber resource. Since enactment of this act, Congress has passed 63 additional acts relative to exchanges of national forest lands or timber. The majority of these extend the provisions of the Act of March 20, 1922 to specified lands adjacent to certain national forest boundaries or to lands within a particular distance, usually not more than 5 or 6 miles, of boundaries of certain national forests.

The Act of March 3, 1925 (16 U.S.C. 516) authorizes the exchange of land and timber acquired (mainly by purchase) under the Weeks law of March 1, 1911. This act also requires publication of proposed exchanges in counties where the land or timber is located and procedures provide for filing of objections and adjudication by the Forest Service with right of appeal to the Secretary of Agriculture.

One important objective of the exchange authority is to assure permanent status and management of wild lands which are integral parts of the national forests and which the owners cannot or do not wish to hold and adequately manage for timber production and watershed purposes. Another objective is to consolidate the national forests for more effective and economical protection from fire and management and utilization of timber, forage, water, recreational and other resources. The exchange procedure also provides the means for beneficial consolidation of private forest lands in those areas where the owners do desire to retain title for planned production of forest crops, or of State or county forests.

To June 30, 1951, there have been completed under the above exchange authorizations, and similar or supplemental acts, about 3509 transactions, summarized as follows:

Acres Acquired by U. S.	Value of Timber on Lands Ac- quired	Acres Granted by U. S.	Value of Timber on Acres Granted	Value of Additional Timber Granted
6,267,872	\$21,940,190	1,334,404	\$3,476,264	\$24,041,473

As will be noted from the above table, the United States has acquired timber worth, at time of acquisition, about \$21,940,000 and granted timber worth about \$27,518,000. In terms of value, therefore, about 80% of timber granted has been offset by timber acquired. In terms of quantity of timber, the government has probably acquired substantially more than it has given. Considerable volumes of timber acquired were inaccessible or of non-marketable species at the time of acquisition and hence were not included in the timber

valuations. Subsequent developments and greatly increased demand have made much of this timber marketable so that the above noted balance is probably even more favorable than the valuations indicate. Much good young growth just below merchantable size was also obtained. The net area acquired under exchange authority is 4,933,468 acres, which for the 30 years since 1922 averages about 164,449 acres annually.

A rather frequent comment in regard to these exchanges is that local governments do not receive the 25% of the value of the national forest timber involved as would be the case if such timber were sold. The above data, however, show that timber given in exchange has been substantially replaced by timber acquired. Furthermore, much good growing stock and productive land has been put under management and will yield increasing amounts of timber as it grows. For example, pole size timber and residual timber on partly logged lands acquired in the earlier transactions and considered as without market value at that time are often now marketable and are adding to the timber cut in national forest sales. So too is virgin timber which was inaccessible or of unfavorable species composition, and hence of little or no commercial value, when exchanges were made which is now saleable. Generally speaking, therefore, there has been at most a postponement and not a loss of income to local governments by reason of the exchanges, and subsequent substantial increases can reasonably be expected. It is of interest in this connection that the share of local governments in national forest receipts has risen from \$1,670,123 for Fiscal Year 1942 to \$13,974,027 for Fiscal Year 1951, over an eight fold increase. Value of timber cut in exchanges in Fiscal Year 1951 was only 2.65% of total value of national forest timber cut.

Lands acquired through exchange were lands on which the owners did not plan to practice management. A substantial part of them had been cutover. Much of the cutover land was tax delinquent when acquired. Such lands although denuded of merchantable timber usually have left on them young growth which, if properly protected and managed on a long-term basis, will again contribute usable forest products. Other parts of the acquired lands were cutover by the owners under pre-cutting arrangements whereby a selected reserve stand was marked and left uncut for growth and reseeding purposes, and exchanged with the land for national forest timber of equal value. This kind of exchange has been especially useful in preventing the denudation of privately-owned timber lands intermingled with national forest lands. Some areas of uncut timber which otherwise would have been clear cut without regard for future condition and timber yields have also been included, especially where needed to complete sustained yield units, preserve scenic values, or to protect important watersheds. The foregoing applies also to current or proposed transactions.

Public benefits from these exchanges have been the strengthening of sustained yield management in support of local industries, the maintenance of timber producing lands in a productive condition, building up of the forest resources of the country, increase of watershed lands under planned management, and consolidation of public forests for more economical protection and management. Local groups or communities have often requested or actively supported the acquisition of lands for national forest purposes by exchange. Many exchange transactions were primarily to assure protection of local watersheds, preservation of scenic areas such as zones along highways, and sustained supplies of timber for local industries.

Exchanges are an investment in conservation of national resources. Such investment will be repaid with interest, both in a financial sense, and from several less tangible but equally important standpoints, such as (a) more timber for the nation's use in peace or war, (b) better watersheds and flood control conditions, (c) less soil erosion, (d) more areas for public recreation, and (e) more permanent wood working industries and prosperous communities.